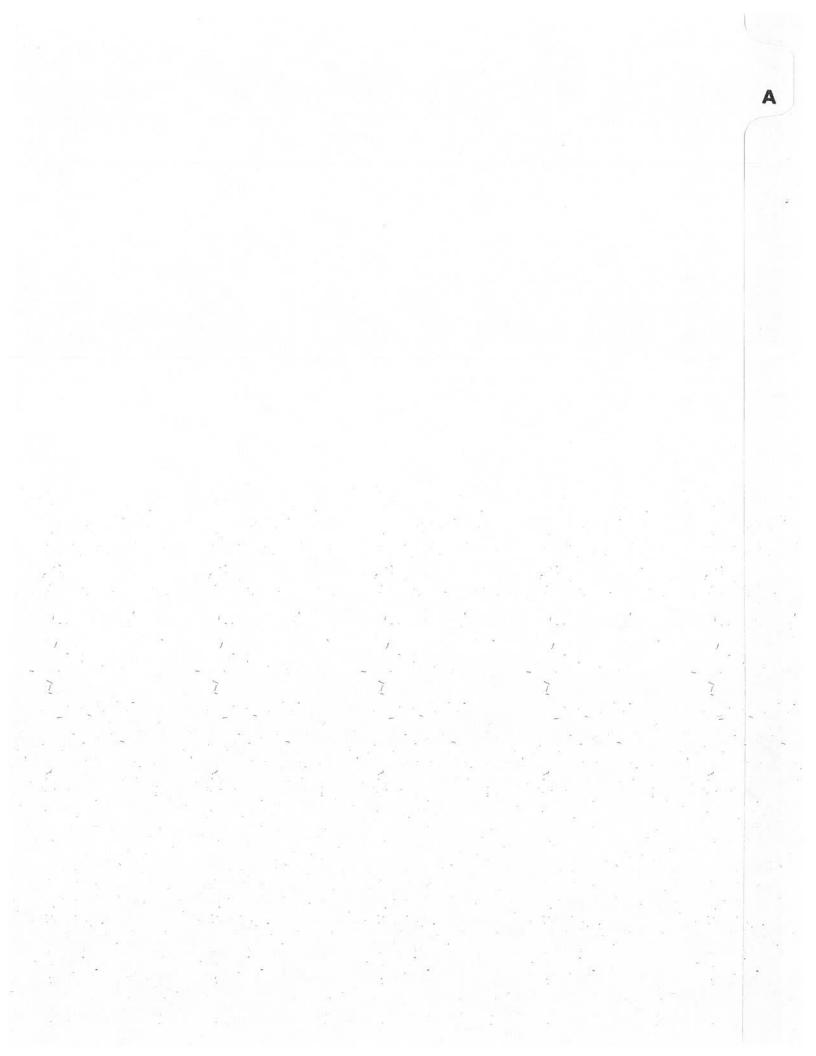
## Safeway at Sterling Plaza Comprehensive Sign Package November 13, 2009





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October 30, 2009

Frank W, Stearns T (703) 760-1956 F 703.821.8949 fwstearns@venable.com

Mike Elabarger Loudoun County Department of Planning 1 Harrison Street SE 3rd floor Leesburg, VA 20177

Re: ZMOD 2008-013 Safeway ("Applicant") Sterling Plaza Comprehensive Sign Plan

Dear Mike:

This is in response to the second series of comments regarding the above referenced project. These comments are contained in two memorandums; one from the Department of Building and Development dated May 4, 2009 and one from the Department of Planning dated May 14, 2009. In response to those memorandums the Applicant submits the following.

The Department of Building Development memorandum dated May 4, 2009 is broken down into three sections, Applicant submits the following responses.

Section 1 II. a. Critical Issues — Given the current state of the economy the owner of the shopping center has put on hold plans to renovate the entire shopping center. The owner wishes to delay proposing signage for all in-line tenants other than Safeway with the excepting of the free standing entrance sign. The owner has indicated that it will provide a unified sign plan for development that is cohesive and will coordinate with the Safeway signs in an appropriate fashion when the time comes for renovation of the shopping center.

Section 2. II. c. Applicable Zoning Ordinance Information and Conformance – Applicant has redone the Matrix which is included here at Tab 1 and numbered the illustrations at Tab 2 to match the sign numbers in the Matrix. The blade signs are no longer part of this Application. The existing signs "Safeway" and "Food and Drug" will be removed. The measurement shown for the Existing Sign size is the size of those two signs combined. All measurements for the proposed signs have eliminated any gap and the Rule of Eight has been used. The gaps still appear but they have not been deducted. There is a dotted line around the illustrated signs that show the enclosure used for measurements. The Matrix correctly states the square footage for each sign that is being requested as well as the number of building mounted signs being requested.

Section 3 iii. Any gap that is shown between logos and sign letters has not been calculated in the square footage determination. These lines remain on the illustrations as they are used by the contractors in preparing the signs. The sign size has climinated all gaps when doing

## VENABLE ...

Mike Elabarger October 30, 2009 Page 2

the measurements as can be seen by the light colored boxes formed by the dotted lines around each sign. This is true for the Safeway signs with "S" logos; for the SunTrust with the sunburst logo, and for the Pharmacy with the mortar and pestle logo. "Sterling Plaza Safeway" sign is no longer included in this sign application and is withdrawn. The new sign for the entrance is provided at Tab 3. The measurements are included in the Matrix as sign number 7. The existing free standing entrance sign will be relocated as shown at Tab 3. Applicant maintains that the application does meet the Criterion as applicable. Applicant is only one of several tenants but it is the anchor tenant and the new proposed signage is much more attractive and will set the standard for any further signs to be proposed at the shopping center. It is an overall improvement to the appearance of the shopping center that should not be prevented because the complete sign package needs to be phased do to the economy.

Responding to the Department of Planning memorandum dated May 14, 2009, Staff has requested that if the application proceeds without the entire shopping center, there be a condition of approval that the Safeway signs would be reconsidered as a part of any new sign plan submitted for the overall Sterling Plaza Shopping Center. Applicant is prepared to accept such a condition. In effect this could be considered a phased comprehensive sign plan. Applicant continues to disagree with Staff's position that this shopping center is not intended to attract drive by shoppers and that all motorists, bicyclists or pedestrians using Sterling Boulevard are already aware of what is in the shopping center. The owner of the shopping center actually takes exception to that as well and this additional signage is not only to be an immediate upgrade in attractiveness but it is also necessary to inform in a safe and tasteful manner potential users of the shopping center of what retailers are available. The entrance sign is being relocated for better visibility on Sterling Boulevard. Given the amount of linear frontage of the Safeway there is not excessive signage proposed.

Applicant has recalculated the size of proposed signage by using the correct method of measurement. Applicant submits that this proposal is very much in keeping with the Broadlands Village Center ("Broadlands") Safeway signage both in scale and design. See Tab 4. The Signature Café, SunTrust and Pharmacy Sign are actually larger at Broadlands and there is an additional sign for Bergmann's Cleaners. The other signs were the same size with the exception of sign number 1 in the Matrix at Tab 1 which is slightly larger. Applicant has removed its request for the blade signs as the shopping center owner is not prepared to go forward with all inline tenants at this time. The ground mounted sign referenced in the May 14 comments has been changed to reflect that which was attached hereto at Tab 3.

## VENABLE LLP

Mike Elabarger October 30, 2009 Page 3

Mike we look forward to meeting with you to discuss this is greater detail should you have any questions please feel free to contact the undersigned. I remain

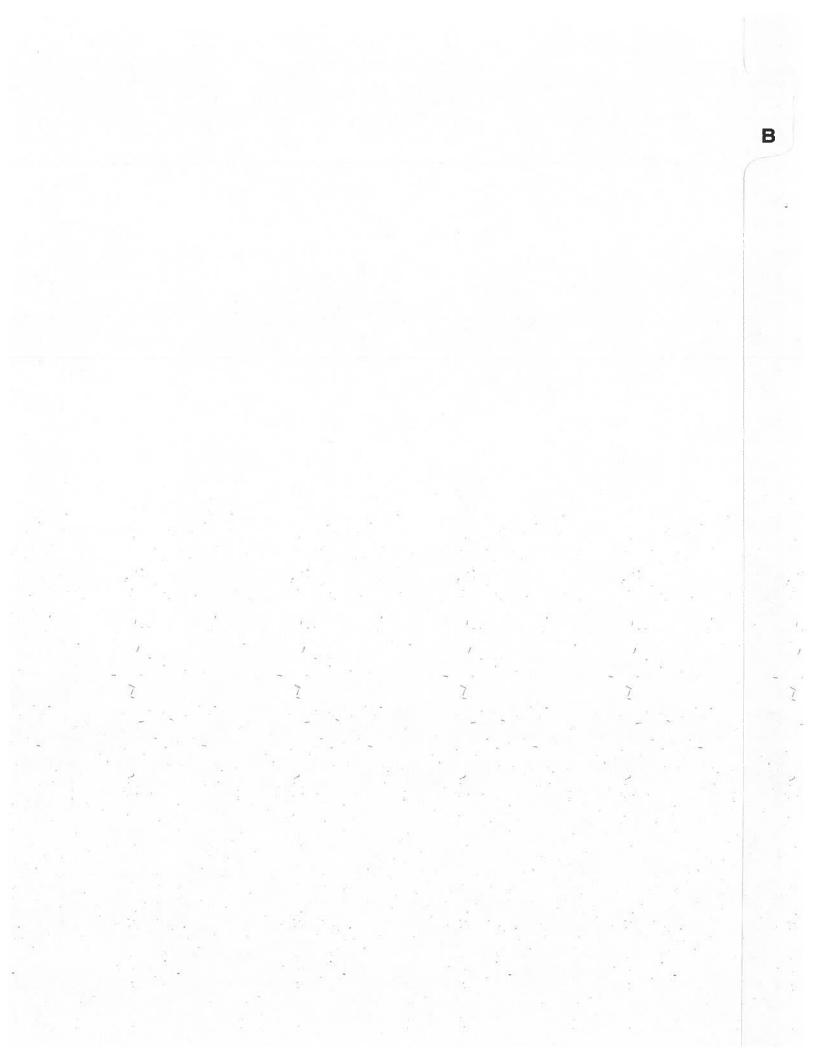
Very Truly Yours,

Frank W. Stearns

FWS/kkp Enclosure

cc:

Morgan Ziegenhein Nicole Mason



November 13, 2009

Mike Elabarger Loudoun County Department of Planning 1 Harrison Street SE 3<sup>rd</sup> Floor Leesburg, VA 20177 Frank W. Stearns T (703) 760-1956 F 703.821.8949 fwstearns@venable.com

Re: ZMOD 2008-0013 Safeway Signs in Sterling Plaza

Dear Mike:

This is in response to staff comments regarding the third submission for the above referenced project. Specifically a November 4, 2009 Memorandum from the Department of Building and Development and an email dated November 9, 2009 from the Department of Planning.

Addressing the Department of Building and Development memorandum first, Applicant responds to the following staff comments:

- 1. Staff continues to question the comprehensiveness of the sign plan. Applicant has explained the application must be viewed as a phased project as the owner of the shopping center is not ready to bring in the other tenants' sign designs at the present time. Please see letter from McCaffery Interests dated November 13, 2009 attached hereto at Tab 1. Applicant and the property owner have both indicated a willingness to accept a properly worded condition to ensure that the sign plan will be comprehensive if and when the other tenants' designs have been determined.
- 2. This comment concerns the methodology for measurement of the signs. Applicant assures the County that all calculations are based on the rule of eight ("Rule-of-Eight"). To the extent that there is some confusion; Applicant again states that the gaps are appearing because they are needed for the assembly of the sign by the sign manufacture; however, the size of the gaps has not been deducted from the total sign square footage. The gaps are included in the total sign area.
- 3. The revised Statement of Justification has been provided and is attached hereto. Applicant believes all matters for Consideration per Section 6-1211 (E) have been addressed to the extent they are relevant. Not all sixteen issues are relevant.
- 4. & 5. These comments misunderstand the submittal of the Broadlands Safeway sign package. Planning Staff cited the Broadlands Safeway as a design that Staff could support. Applicant merely included the sign package at Broadlands in its resubmittal so

## VENABLE LLP

November 13, 2009 Page 2

that the full Broadlands Safeway sign package was in the record. Applicant states that: (i) there is no Bergman's Dry Cleaning sign being proposed at the subject site; and (ii) the future sign not to exceed 25 sq. ft. was at the Broadlands site not at the Sterling Store site and is not proposed for the Sterling Store.

Turning to the Department of Planning email of November 9, 2009, Applicant states that it agrees with Staff's position that comment number one can be addressed with a condition. Comment two in this case has been adequately addressed. Comment three concerns the Broadlands Safeway signage. The Applicant submitted the entire sign package for the Broadlands Safeway to show the sizes of the signs and that the signs requested in this application are smaller. Staff has requested the size of the background facades to compare. They are attached at Tab 2. Please note that at Broadlands there is a two tone background that is not at Sterling. Overall each site has a sign properly sized for the background. Neither site has signs which appear overly large or out of proportion to the façade to which they are attached. Applicant contends that the peak portions of the roof with the proposed signage are in proper perspective one to the other whether at Broadlands or Sterling. Thus Applicant has not reduced the size of the proposed signs because there seems to be no reason to reduce it. Applicant feels that the two peak roofs at Sterling have ample room to accommodate each of the proposed signs without crowding. Applicant states neither sign is out of proportion and this is simply a matter of taste rather than a situation creating an adverse visual impact. I remain.

Very Truly Yours,

French W. Sterms

Frank W. Stearns

FWS/kkp

cc: Morgan Ziegenhein

# APPLICATION BY SAFEWAY TO MODIFY SIGN AREA REGULATIONS TO PERMIT AN INCREASE IN SIGN AREA 22350 STERLING BLVD, STERLING, VA 20164 STATEMENT OF JUSTIFICATION ZMOD-2008-013 AMENDED

#### Introduction

Safeway Inc. ("Applicant") submits this application to modify the Sign Regulations subject to Section 5-1204 (D) (3) Matrix of the Revised 1993 Loudoun County Zoning Ordinance to permit an increase in the sign area for its building facade. The Applicant requests a larger sign area than is permitted on the facade of the existing building for its signs and signs for Sun Trust Bank, Starbucks Coffee and Signature Café. Applicant requests that the freestanding entrance sign be relocated and additional signage be permitted therein.

#### **Site Location**

The Safeway is located at 22350 Sterling Blvd. in the Sterling Plaza in the southeast corner of East Maple Ave. and Sterling Blvd. The area is developed with a 154,000 sq. ft. neighborhood shopping center (Sterling Plaza Shopping Center) with community serving retail uses and is zoned PD-CC (CC).

#### The Sterling Community and Sterling Plaza

The Safeway Store is located in the Sterling community of the Suburban Policy Area and is governed by the policies of the Revised General Plan and the retail policies of the Countywide Retail Plan Amendment. The Sterling Plaza is characterized by community retail uses where the appearance and application of urban design guidelines for building designs and signage is paramount. It stresses good sign location and design as well as architectural details that enhance the building's character to form a distinctive visual appearance.

#### Safeway Store in Sterling Plaza

Safeway is in a one story building with an area of 55,255 sq. ft. A construction permit (BP 06897) was approved in October 2000 and an Occupancy Permit (OP 11789) was issued to Safeway on October 11, 2000.

#### Safeway Stores as a Supermarket

Safeway is a well known supermarket in the area and has an easily identifiable store facade prototype. Like most other large chains, when Safeway moved from small neighborhood stores to larger supermarkets, it established a distinct predetermined design

with a new prototype facade with large graphics of food items and distinctive signage to inform the public what was available within such as "Starbucks Coffee" "Sun Trust Bank" and "Pharmacy". All wall signs are related in color and appearance. Safeway currently uses a nationwide recognized coordination of its signage in terms of design and materials and logos such as "Safeway", "Starbucks Coffee" and "SunTrust Bank." These nationally recognized logos are uniform and easily recognized to provide for quick and convenient identification to people in motor vehicles and to alert the public of products that are available within the Safeway.

Therefore Safeway submits this zoning modification application to modify the existing sign regulations to permit an increase in sign area and number to permit nationally recognized signs and logos, to ensure uniformity and consistency in trademarked names and communicate to the public in an efficient and quickly recognized fashion the products available within by using nationally recognized logos of the merchants.

The owner of the Shopping Center, McCaffrey Interests ("McCaffrey") requests permission to relocate the existing freestanding monument entrance sign from the southern entrance to the northern entrance and increase the amount of signage allowed there on. The relocation will provide better visibility do to the angle of Sterling Blvd. The present location is not in the line of sight to motorists thus giving them little time to read the sign and react.

#### **Existing Zoning Regulations**

Under the Planned Development Community Center (PD-CC (CC)) zoning, the site is subject to Section 5-1204 (D) (3) Matrix of the Revised 1993 Loudoun County Zoning Ordinance with the following regulations being germane:

- a) The maximum area of any one sign is 60 sq. ft.
- b) Each facade can have no more than 3 signs.
- c) Total signage allowable is based upon two (2) sq. ft. for every linear foot of building frontage not to exceed 60 sq. ft.

#### Existing Signs at the Safeway Stores in Sterling Plaza (See attached Photographs)

This Safeway store has the following existing signs on its facade:

- 1) Safeway -104 sq. ft. ( to be removed)
- 2) Food and Drug -63 sq. ft. (to be removed)
- 3) Sun Trust Bank (temporary on the front window) 12 sq. ft.(to be removed)

- 4) Starbucks Coffee (temporary on the front window) 4 sq. ft. (to be removed)
- 5) Freestanding Entrance Sign 75 sq. ft.

Total Area of Existing Signs – 242 sq. ft. (temporary signs not counted)

#### Proposed Signs at the Safeway Store in Sterling Plaza

- 1) Safeway -36.18 sq. ft. and "S"  $\log o 6.72$  sq. ft.
- 2) Safeway and "S" logo 126.5 sq. ft.
- 3) Starbucks Coffee 22.55 sq. ft.
- 4) Sun Trusts Bank 12 sq. ft.
- 5) Pharmacy and logo 26.58 sq. ft.
- 6) Signature Café 16 sq. ft.
- 7) Freestanding Entrance Sign 49.7 sq. ft.

Total Signage at Safeway Store – 246.53 sq. ft.

#### **Implications on Regulations**

The existing and proposed signs are over the maximum allowable signage area for the store facade. The Applicant therefore requests an increase in signage area to permit the signs on the facade for the departments and tenants in Safeway for the following reasons:

- O The proposed location, number, size, height, shape and color of signs on the Safeway facade compliments the visual appearance of the store and has no adverse visual impact on the shopping center, the adjacent communities or shoppers in the area.
- o It promotes the regional character of the Safeway store, its products and departments.
- o The signs are not intrusive upon the commercial atmosphere of the shopping center and the local business environment.
- O The proposed signs promote good visual quality; add visual assistance and enhancements to better inform the public in a tasteful manner as to what is available at the site in a quickly recognized format particularly for operators of motor vehicles.

The relocation of the Freestanding Entrance Sign will place it in a more easily viewed and location. The additional signage is needed to inform the public of the merchants

within the 154,000 sq. ft. center. The Sterling Center is allowed three (3) freestanding entrance signs and up to 60 sq. ft. This one sign will be -49.7 square feet.

The above information supports the request for an increase in sign area for the Sterling Plaza Safeway. Should you need further information, please contact me at 703-760-1956.

Sincerely,

Frank W. Stearns

D

#### SAFEWAY AT STERLING PLAZA COMPREHENSIVE SIGN ZONING MATRIX

	areopos <sup>e</sup>	2 de sign	ndinates Section	g stor	g sign site Perfute digital	Area partited his	the total arcs	Modification Modification	A Sugar Sugar Records and Ass	and of Sign	interpretation of the state of	n Pertitied Proposed	Type of Significant	Antheed Propos	and Type of Sight				
1	Building Mounted Tenant "Safeway" and "S" Logo	5-1204 (D) (3) (d)	"Safeway Food and Drug"		2 SF/linear foot of building frontage, not to exceed 60 Sq. Ft.	1/façade, no more than 3 signs	1 Sign		126.5 Sq. Ft.	+44 Sq. Ft.	Backlight or White Light	Backlight	Building Mounted	Building Mounted					
2	Building Mounted Tenant "Safeway" and "S" Logo Building	5-1204 (D) (3) (d)	None	N/A	2 SF/linear foot of building frontage, not to exceed 60 Sq. Ft.	1/façade, no more than 3 signs	1 Sign		21.117 Sq. Ft.	-38.88 Sq. Ft.	Backlight or White Light	Backlight	Building Mounted	Building Mounted					
3	Mounted Tenant "Starbucks Coffee" Building	5-1204 (D) (3) (d)	None	N/A	2 SF/linear foot of building frontage, not to exceed 60 Sq. Ft.	1/façade, no more than 3 signs	1 Sign		16.66 Sq. Ft.	-43.34 Sq. Ft.	Backlight or White Light	Backlight	Building Mounted	Building Mounted					
4	Mounted Tenant "Signature Café"	5-1204 (D) (3) (d)	None	N/A	2 SF/linear foot of building frontage, not to exceed 60 Sq. Ft.	1/façade, no more than 3 signs	1 Sign	First Additional Sign	16 Sq. Ft.	+16 Sq. Ft.	Backlight or White Light	Backlight	Building Mounted	Building Mounted					
5	Building Mounted Tenant "Sun Trust" Building	5-1204 (D) (3) (d)	None	N/A	2 SF/linear foot of building frontage, not to exceed 60 Sq. Ft.	1/façade, no more than 3 signs	1 Sign	Second Additional Sign	17.569 Sq. Ft.	+17.56 Sq. Ft.	Backlight or White Light	Backlight	Building Mounted	Building Mounted					
6	Mounted Tenant "Pharmacy" and Logo	5-1204 (D) (3) (d)	None	N/A	2 SF/linear foot of building frontage, not to exceed 60 Sq. Ft.	1/façade, no more than 3 signs	1 Sign	Third Additional Sign	18.85 Sq. Ft.	Ft. Modified	Backlight or White Light	Backlight	Building Mounted	Building Mounted					
	BUILDI	SIGN T	INTED TE		Permitted 60 Square Feet per Zoning Ordinance	Proposed 239.81 Sq. Ft.	Modified +179.81 Sq. Ft.	Permitted 3 Signs	Proposed 6 Signs	Adding 3 Additional Signs					- -				
	Proposed sign	Zoning Ordinance Section	Existing Sign	Existing Sign Size	Permitted of Signs per Zoning Ordinance	Proposed Total Area	Modification +/- Sq. Ft.	Permitted Number of Signs per Zoning Ordinance	Proposed Number of Signs	Modification +/- Number of Signs	Permitted Area of Any One Sign per Zoning Ordinance	Modification +/- Sq. Ft.	Illumination Permitted per Zoning Ordinance	Proposed Illumination	Type of Sign Permitted per Zoning Ordinance	Proposed Type of Sign	Maximum Height for Ground Mounted per Zoning Ordinance	Proposed Maximum Height for Ground Mounted	
7	Free Standing Entrance	5-1204 (D) (3) (c)	Free Standing Entrance	60 Sq. Ft.	60 Sq. St.	49.6 Sq. Ft.		2 Total Signs	1 Sign Total	None	20 Sq. Ft.		Backlight or White	Backlight	Ground Mounted	Ground Mounted	15 Ft.	13.6 Ft.	

Frank W. Stearns, Esq. 8010 Towers Crescent Dr. Ste 300 Vienna, VA 22182

November 13, 2009

RE: Sterling Plaza Shopping Center - New Safeway Sign

To Whom this May Concern,

In 2007 Landlord was exploring the possibility to undergo a renovation of Sterling Plaza Shopping Center. Such a renovation would have called for structural, façade and possibly some site plan changes. Through the proposed renovation, Landlord anticipated submitting a comprehensive sign package in order to comply with the current sign ordinance. However, given the current economic climate it is no longer feasible to do such a renovation, and we have subsequently scaled back the renovation to include a more "lipstick and rouge" approach. Therefore, Landlord no longer intends to submit a comprehensive sign package for the center, either now or in the foreseeable future.

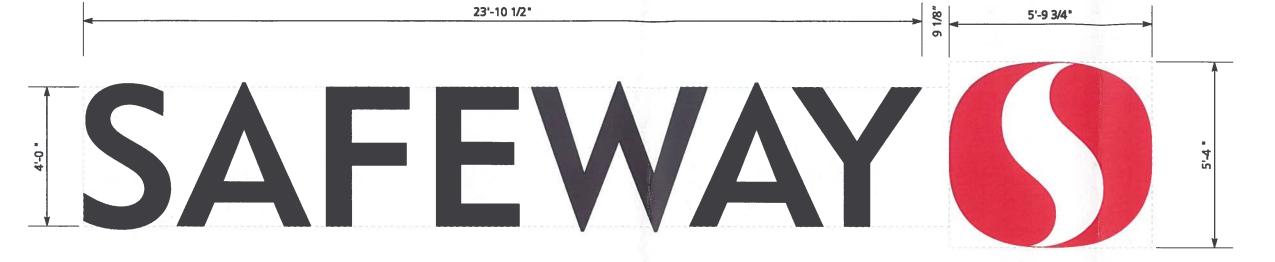
Please accept this letter as formal notice of Landlord's approval and support of Safeway's sign package inclusive of the proposed new Pylon sign and location. We view our Landlord/Tenant relationship with Safeway as a partnership, and agree that an upgrade to their storefront is an upgrade for the entire center and surrounding community.

If there are any additional questions or comments, please do not hesitate to contact me directly.

Sincerely,

Morgan Ziegenhein
Assistant Asset Manager
McCaffery Interests, Inc

F



SAFEWAY SIGN SCALE: 3/8"= 1'-0"

126.50 SQ. FT.

**EXISTING SIGNS** 

REMOVE SAFEWAY SIGNS, REPLACE WITH NEW STYLE SIGNAGE

PHOTO SCALE: 3/32"=1.0'



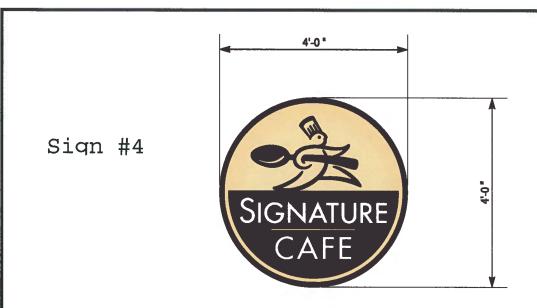


Michael Gardner 11-13-2009

1759 Measurement

63380



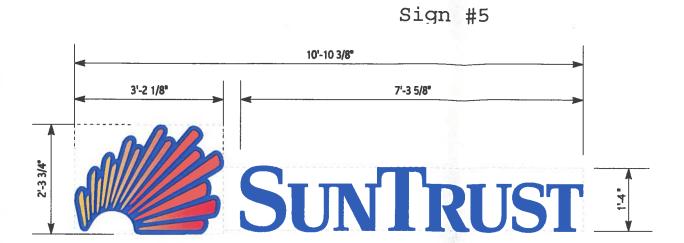


SIGNATURE CAFE SIGN SCALE: 1/2"=1'-0"

16 SQ. FT.

EXISTING SIGNAGE, SECONDARY ENTRANCE





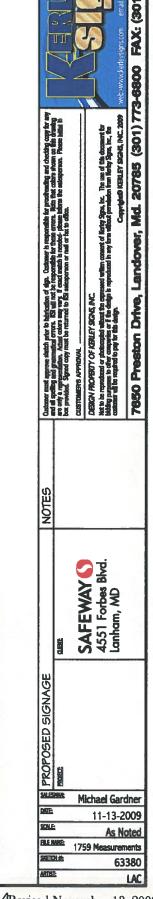
SUNTRUST BANK SIGN SCALE: 1/2"=1'-0"

17.569 SQ. FT.

ADD NEW SIGNATURE CAFE SIGN

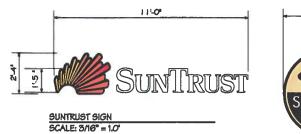
PHOTO SCALE: 3/32"=1.0'







#### ILLUSTRATIVE PURPOSES ONLY











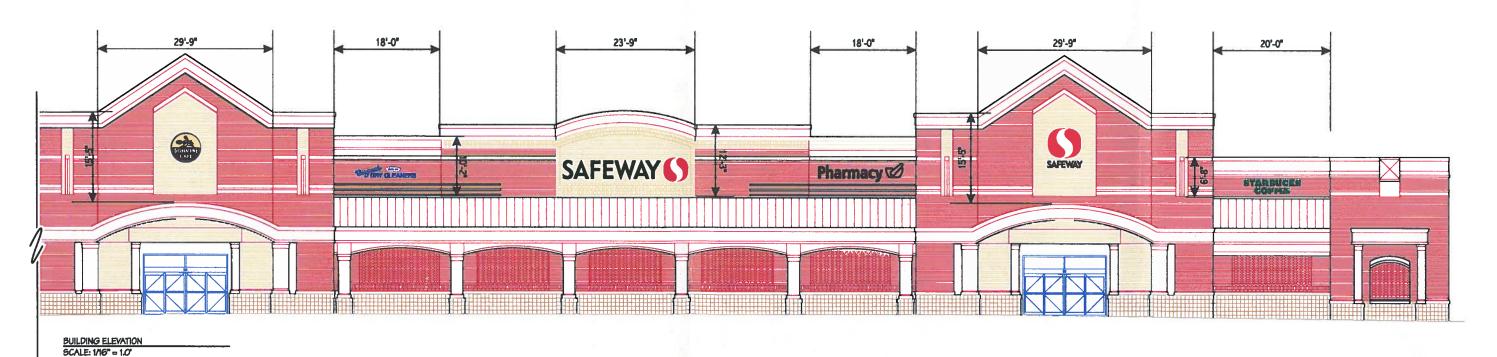
BAFEWAY SIGN BCALE: 3/16" = 1.0'



PHARMACY SIGN SCALE: 3/16" = 1.0'

SUNTRUST CAFÉ SIGN SCALE: 3/16" = 1.0"





LOCATION/STORE #:	2650 Broadlands	PROJECT			CI	LIENT			NOT	NOTES				
IOB#:	32676					CAE		/ 43//						
SCALE:	As Noted					SAF	EW	AY		111				
DATE:	11-13-2009					4551 Forb	es Blvd.	• Lanham	, MD					
FILE NAME:	2650 Measurements		n a a	000 000 20 cl	_	-							de Pai.	
DRAWN BY:	LAC	WSA	III A A		Marrie .	THE THE PARTY OF T	(hr)	MSA		USSC 🖺	2	NAM	<b>**</b>	

Customer must approve sketch prior to fabrication of sign. Customer is responsible for proofreading and checking copy for any and all spelling and grammatical errors. KSI will not be responsible for these errors. Note that colors shown on this drawing are only a representation. Actual colors may vary, if exact match is needed-please inform the salesperson. Please initial in box provided. Signed copy must be returned to KSI salesperson or mail or fax to office.

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